

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Rosanne M. Crooke, Et. al.

Confirmation No.: 6394

Application No.: 10/712,795

Group Art Unit: 1633

Filing Date: November 13, 2003

Examiner: Janet L. Epps-Ford

For: ANTISENSE MODULATION OF APOLIPOPROTEIN B EXPRESSION

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Examiner Epps-Ford:

Enclosed for filing in the above-identified application is a PTO/SB/08 Equivalent listing references to be considered by the Examiner. Also enclosed are foreign patent references and non-patent literature as listed on the Supplemental Information Disclosure Statement.

Included herewith is the fee set forth under 37 C.F.R. § 1.17(p). If an additional fee is due, the Commissioner is hereby authorized to charge Deposit Account No 500252 referencing case number DOC-0216US.

Applicants thank the Examiner for agreeing to consider the references listed on the Supplemental Information Disclosure Statement. For the Examiner's convenience, Applicants provide herewith an additional Listing of the References, beginning on page 2 of this paper.

LISTING OF REFERENCES

For the Examiner's consideration, listed below are references that were cited in (1) an Office Action of a commonly assigned U.S. Application; (2) an International Search Report of a PCT counterpart of the instant application; (3) a European Search Report of a European counterpart of the instant application, or (4) the background of the instant application.

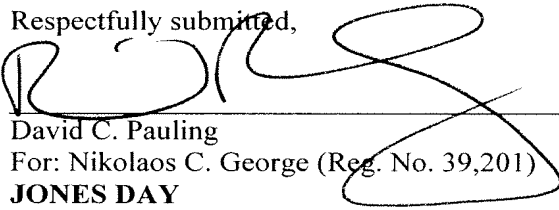
- References included on "Notice of References Cited" in connection with **U.S. Application Serial No. 09/920,033** ('033; currently pending)
 - **Office Action** mailed January 13, 2004 (Examiner Epps-Ford).
 - One of three references cited by the Examiner in the '033 application in support of a rejection under 35 U.S.C. § 103(a) (the remaining references cited in support of that rejection are already of record in the instant application).
 - *Agrawal, S. et al., Mol. Med. Today (2000)*
 - **Office Action** mailed January 19, 2005 (Examiner Epps-Ford).
 - One of several references cited by the Examiner in the '033 application in support of a rejection under 35 U.S.C. 103(a) (the remaining references cited in support of that rejection are already of record in the instant application).
 - *Rossi, J.J., et al., Methods Enzym. (1993)*
 - **Office Action** mailed June 26, 2006 (Examiner Epps-Ford).
 - Four of six references cited by the Examiner in the '033 application in support of a rejection under 35 U.S.C. 103(a) (remaining references cited in support of that rejection are already of record in the instant application).
 - *US 6,512,161, Rouy et al., published 01/28/2003*
 - Note: The PCT publication counterpart to US 6,512,161, WO 99/35241, is of record in the instant application (cited by Applicants on a PTO/SB/08 Equivalent dated March 31, 2006 and initialed by Examiner Epps-Ford, indicating that the reference was considered).
 - *Huang, L.-S., et al., J. Biol. Chem (1969)*
 - Cited for disclosure of GenBank Accession number NM_000384.1.
 - *US 2002/0068708, Wengel et al., published 06/06/2002*
 - *Agrawal, S. et al., Mol. Med. Today (2000); listed above*
 - One of two references cited by the Examiner in the '033 application in support of a rejection under 35 U.S.C. 103(a) (the other reference is already of record in the instant application).
 - *US 2002/0068708, Wengel et al., published 06/06/2002*
 - Cited by the Examiner in the '033 application in support of a rejection under 35 U.S.C. § 102(b).
 - *WO 00/00504, Baker et al., published 01/06/2000*

- The Examiner asserted that SEQ ID NO: 24 of Baker et al. is 88.9% complementary to nucleotides 177 through 194 of the human apolipoprotein B mRNA as set forth in GenBank Accession No. NM_000384.1.
- References included on “Notice of References Cited” in connection with **U.S. Application Serial No. 10/147,196** (‘196; currently pending)
 - **Office Action** mailed July 11, 2003 (Examiner Epps-Ford).
 - Three references of four references cited by the Examiner in the ‘196 application in support of a rejection under 35 U.S.C. § 112, enablement (the remaining reference is already of record in the instant application).
 - *Crooke, S.T., Antisense Research and Application (1998)*
 - *Jen, K.-Y., et al., Stem Cells (2000)*
 - *Ma, D.D.F. et al., Biotech. Ann. Rev. (2000)*
- References included on “Notice of References Cited” in connection with **U.S. Application Serial No. 10/920,612** (‘612; currently pending), which is a continuation of the present application.
 - **Office Action** mailed March 28, 2007 (Examiner Epps-Ford)
 - Two references cited in the ‘612 application in support of a rejection under 35 U.S.C. § 103(a).
 - *WO 03/074723, Dhallan, published 09/12/2003*
 - *Latorra, D., et al., Hum. Mutat. (2003)*
- Reference included on “Notice of References Cited” in connection with **U.S. Application Serial No. 11/200,710** (‘710; currently pending).
 - **Office Action** mailed May 17, 2007 (Examiner Shin)
 - One of two references cited by Examiner in the ‘710 application in support of rejection under 35 U.S.C. § 103(a) (the other reference is PCT/US/03/15493, to which the instant application claims priority).
 - *Skrapari, L. et al., Diabetic Med. (2001)*
- Reference cited in ‘**Background of the Invention**’ of **U.S. Application Serial No. 10/712,795** (instant application).
 - *Nowak-Gottl, U. et al., Pediatrics (1997)*
 - A clinical survey suggesting that increased concentrations of Lp(a) play an important role in childhood thrombosis.
- Cited in the **International Search Report** issued August 31, 2004 in connection with **PCT/US03/036411**, which is the PCT counterpart of the instant application.
 - *US 5,801,154, Baracchini et al., Published 09/01/1998*
 - A patent entitled “Antisense Oligonucleotide Modulation of Multidrug Resistance-Associated Protein.”
- References cited in a **Partial Supplementary European Search Report** issued 8/16/2006, in connection with **European Application No. 03789763.4**, the European counterpart of the instant application.
 - *WO 03/011887, Crooke et al., Published 02/13/2003*
 - WO 03/011887 claims priority to U.S. Patent Application Serial Nos 09/920,033 and 10/147,196, and contains subject matter related to that found in US Patent Application Serial Nos 09/920,033 and 10/147,196.

- *EMBL Accession No. L27195, January 6, 1994*
 - Described as “Dog primer for STS 610, 3' end, sequence tagged site.”
- *Graham, M.J. et al., AHA Abstracts, published 11/5/2002*

Date: April 8, 2008

Respectfully submitted,



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